

**RULES REVIEW COMMISSION MEETING  
MINUTES  
September 20, 2018**

The Rules Review Commission met on Thursday, September 20, 2018, in the Commission Room at 1711 New Hope Church Road, Raleigh, North Carolina. Commissioners present were: Andrew Atkins, Bobby Bryan, Anna Baird Choi, Garth Dunklin, Jeff Hyde, Brian LiVecchi, and Paul Powell.

Staff members present were Commission Counsels Amber Cronk May, Amanda Reeder, and Jason Thomas; and Julie Brincefield, Alex Burgos, and Dana McGhee.

The meeting was called to order at 10:04 a.m. with Chairman Dunklin presiding.

Chairman Dunklin introduced Judge Jefferson Griffin of the 10th Judicial District Court to the Commission.

Judge Jefferson Griffin administered the oath of office to new Commissioner Brian LiVecchi.

Chairman Dunklin read the notice required by G.S. 163A-159 and reminded the Commission members that they have a duty to avoid conflicts of interest and the appearances of conflicts of interest.

The Chairman announced that due to the number of speakers that submitted requests to speak, the following agenda items be reviewed at the end of the agenda in the order set forth below, and not in the order they appear in the online agenda or in these minutes:

*Follow Up Matters and Non Pre-Reviewed Permanent Rules*  
Child Care Commission

*Non Pre-Reviewed Permanent Rules*  
Criminal Justice Education and Training Standards Commission, Rule 12 NCAC 09G .0403

*Pre-Reviewed Permanent Rules*  
Board of Massage and Bodywork Therapy

*Non Pre-Reviewed Permanent Rules*  
Commission for the Blind

**APPROVAL OF MINUTES**

Chairman Dunklin asked for any discussion, comments, or corrections concerning the minutes of the August 16, 2018 meeting. There were none and the minutes were approved as distributed.

**FOLLOW UP MATTERS**

**Commission of Navigation and Pilotage for the Cape Fear River and Bar**

The agency is addressing the objections for 04 NCAC 15 .0119, .0121, .0123, .0124, .0127, and .0128. No action was required by the Commission.

**Board of Elections and Ethics Enforcement**

08 NCAC 01 .0104, .0106; 02 .0114; 10B .0108, .0109; and 08 NCAC 20 .0101– The rules were unanimously approved.

The agency is addressing the objections and technical change requests for 08 NCAC 02 .0112, .0113; 03 .0101, .0102, .0103, .0104, .0105, .0106, .0201, .0202, .0301, .0302; 04 .0302, .0304, .0305, .0306, .0307; 05 .0111; 06B .0103, .0104, .0105; 08 .0104; 09 .0106, .0107, .0108, .0109; 10B .0101, .0102,

.0103, .0104, .0105, .0106, .0107; 16 .0101, .0102, .0104; and 18 .0102. No action was required by the Commission.

### **Child Care Commission**

10A NCAC 09 .2201, .2202, .2203, .2204, .2205, .2206, .2207, .2209, .2213, .2216, and .2217. All rewritten rules were unanimously approved.

Andrea Stogsdill, with the NC Licensed Child Care Association, addressed the Commission.

Alexi Gruber, with the Attorney General's office and representing the agency, addressed the Commission.

### **DHHS/Division of Medical Assistance**

10A NCAC 22F .0301 and 22J .0106. The Commission unanimously continued its objections.

### **Water Pollution Control System Operator Certification Commission**

The agency is addressing the objections to 15A NCAC 08F .0406 and 08G .0802. No action was required by the Commission.

## **LOG OF FILINGS (PERMANENT RULES)**

### *Pre-Reviewed Rules*

#### **Department of Natural and Cultural Resources**

07 NCAC 13H .0404 was unanimously approved.

#### **Commission for Public Health 15A NCAC 18**

The Commission voted to extend the period of review for 15A NCAC 18A .1934, 1935, .1937, .1938, .1939, .1940, .1941, .1942, .1943, .1944, .1945, .1946, .1947, .1948, .1949, .1950, .1951, .1952, .1953, .1954, .1955, .1956, .1957, .1958, .1959, .1960, .1961, .1962, .1964, .1965, .1966, .1967, .1968, .1969, .1970, .1971; 18E .0101, .0102, .0103, .0104, .0105, .0201, .0202, .0203, .0204, .0205, .0206, .0207, .0301, .0302, .0303, .0304, .0305, .0401, .0402, .0403, .0501, .0502, .0503, .0504, .0505, .0506, .0507, .0509, .0510, .0601, .0602, .0701, .0702, .0703, .0801, .0802, .0803, .0804, .0805, .0901, .0902, .0903, .0904, .0905, .0906, .0907, .0908, .0909, .0910, .0911, .1001, .1002, .1101, .1102, .1103, .1104, .1105, .1106, .1201, .1202, .1203, .1204, .1205, .1206, .1302, .1303, .1304, .1305, .1306, .1307, .1401, .1402, .1403, .1404, .1405, .1406, .1501, .1502, .1503, .1504, .1505, .1601, .1602, .1603, .1701, .1702, .1703, .1704, .1705, .1706, .1707, .1709, .1710, .1711, .1712, and .1713 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to address requested technical changes.

#### **Well Contractors Certification Commission**

All rules were unanimously approved.

#### **Board of Registration for Foresters**

The Commission voted to extend the period of review for 21 NCAC 20 .0103 and .0104 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period to allow the agency to address requested technical changes and submit the rewritten rules at a later meeting.

#### **Board of Massage and Bodywork Therapy**

All rules were unanimously approved with the following exceptions:

The Commission objected to 21 NCAC 30 .1009 and .1010 in accordance with G.S. 150B-21.10.

The Commission objected to 21 NCAC 30 .1009 based upon lack of statutory authority and ambiguity. Specifically, the Commission found that the agency does not have statutory authority to completely forbid transfers of licenses, and as written, the rule appears to do that. In addition, the rule is unclear as written because it appears to conflate licensure transfer with a change of ownership, and therefore, it is not clear what is intended in Paragraph (b).

The Commission objected to 21 NCAC 30 .1010 for ambiguity, as it is unclear in Paragraph (a) if the agency is only requiring the submission of allegations of violations addressed in (a)(1) through (3), or all rules in the Chapter and the Practice Act as set forth in the first sentence of the Rule.

Prior to the review of the rules from the Board of Massage and Bodywork Therapy, Commissioner Atkins recused himself and did not participate in any discussion or vote concerning the rules because of a conflict.

Mitch Armbruster, representing Massage Envy, addressed the Commission.

Jeff Gray, representing the American Massage Therapy Association, addressed the Commission. Prior to his presentation, the Commission voted pursuant to 26 NCAC 05 .0112 to waive the deadline to address the Commission, as set forth in 26 NCAC 05 .0105. Commissioner Choi was not present for the vote to allow the waiver.

Charles Wilkins, the rulemaking coordinator for the agency, addressed the Commission.

The Commission received over 10 letters of objection in accordance with G.S. 150B-21.3(b2), requesting a delayed effective date and legislative review of all rules with the exception of 21 NCAC 30 .0902.

Non Pre-Reviewed Rules

**Board of Agriculture**

All rules were unanimously approved.

**Board of Elections and Ethics Enforcement**

08 NCAC 04 .0301 was withdrawn at the request of the agency. No action was required by the Commission.

**Child Care Commission**

All rules were unanimously approved.

**Commission for Public Health 10A NCAC 41**

10A NCAC 41A .0101 was unanimously approved.

**Commission for the Blind**

All rules were unanimously approved with the following exceptions:

The Commission objected to 10A NCAC 63C .0203, .0204, .0403, and .0601 in accordance with G.S. 150B-21.10.

The Commission objected to 10A NCAC 63C .0203, Paragraph (d)(6), because it lacks statutory authority to require an operator to provide a copy of his or her concealed weapons permit. The Commission also objected to Paragraphs (b) and (c) (“conventional means”), (d)(1) (“may be suspended or terminated”), (d)(4) (“information”), and (d)(11) and (d)(12) (“failing to cooperate”) because the indicated terms are unclear and ambiguous.

The Commission objected to 10A NCAC 63C .0204 because the rule as submitted for review by the Commission differs substantially from the rule proposed in the North Carolina Register, in violation of G.S. 150B-21.2(g). The Commission also objected to 10A NCAC 63C .0204, Paragraphs (c) (criteria for evaluating “adjustments”) and (d)(7) (tie breaking procedures), because the indicated terms or procedures are unclear and ambiguous.

The Commission objected to 10A NCAC 63C .0403 because the rule as submitted for review by the Commission differs substantially from the rule proposed in the North Carolina Register, in violation of G.S. 150B-21.2(g).

The Commission objected to 10A NCAC 63C .0601, Paragraphs (a)(4) (“full managerial attention”), (a)(5) (“maintain professional relationships”), (a)(6) (“neat, business-like appearance” and “orderly, business-like manner”), (a)(8) (“in which are maintained to operate”), (a)(12) (“business consultation”), (a)(13) (“consultation to support operations”), and (a)(15) (“appropriate actions”), because the indicated terms are unclear and ambiguous.

Meisha Evans, with Disability Rights of North Carolina, addressed the Commission.

Chris Hodgson, with Disability Rights of North Carolina, addressed the Commission.

Dixon Snukals of McGuire Woods, representing the Elected Committee of Blind Vendors, addressed the Commission.

Charles Case of McGuire Woods, representing the Elected Committee of Blind Vendors, addressed the Commission.

Kathie Trotter, rulemaking coordinator for the agency, addressed the Commission.

Cynthia Speight, the Director of the Division of Services for the Blind, addressed the Commission.

William Walton, with the Attorney General’s office and representing the agency, addressed the Commission.

Steven Shores, a member of the Elected Committee of Blind Vendors, addressed the Commission.

Gerald Fischer, the Chairman for the Elected Committee of Blind Vendors, addressed the Commission.

Jessica Macari, with the Attorney General’s office and representing the agency, addressed the Commission.

Commissioner Powell left the meeting during the discussion of the rules from the Commission for the Blind and did not return for the remainder of the meeting.

**Home Inspector Licensure Board**

All rules were unanimously approved.

**Department of Insurance**

All rules were unanimously approved.

**Criminal Justice Education and Training Standards Commission**

All rules were unanimously approved with the following exceptions:

The Commission extended the period of review for 12 NCAC 09B .0101, .0203, .0301 and 12 NCAC 09G .0102, .0304, .0504, .0505, and .0701 in accordance with G.S. 150B-21.10. They did so in response to a request from the agency to extend the period in order to allow the agency to address requested technical changes and submit the rewritten rules at a later meeting.

The Commission objected to 12 NCAC 09G .0403 in accordance with G.S. 150B-21.10.

The Commission objected to the 12 NCAC 09G .0403 based upon ambiguity and a lack of statutory authority. Specifically, the Commission found that the agency lacks authority to require the items in Subparagraphs (a)(2) (as it relates to repealed rules, which is also unclear as written), (a)(3), (a)(4) (as it relates to the effect on existing decisions, which is also unclear as written), (a)(5), (a)(6), and (a)(7). The Commission also found that Paragraph (c) is unclear as written, as it relates to a cross-reference that does not exist. Finally, in Paragraph (d), the agency did not present any statutory authority that it allowed it to set the deadline to request a contested case at 30 days.

Charminique Williams, the rulemaking coordinator for the agency, addressed the Commission.

Whitney Belich, with the Attorney General's office and representing the agency, addressed the Commission.

#### **Board of Chiropractic Examiners**

21 NCAC 10 .0203 was unanimously approved.

Prior to the review of the rule from the Board of Chiropractic Examiners, Commissioner Choi recused herself and did not participate in any discussion or vote concerning the rule because her law firm represents the Board.

#### **LOG OF FILINGS (TEMPORARY RULES)**

##### **Department of Insurance**

11 NCAC 20 .0101 was unanimously approved.

#### **EXISTING RULES REVIEW**

##### **Pesticide Board**

02 NCAC 09L – The Commission unanimously approved the report as submitted by the agency.

##### **Structural Pest Control Committee**

02 NCAC 34 – The Commission unanimously approved the report as submitted by the agency.

##### **Office of the Commissioner of Banks**

04 NCAC 16 - The Commission unanimously approved the report as submitted by the agency.

##### **Department of Natural and Cultural Resources**

07 NCAC 13B - As reflected in the attached letter, the Commission voted to schedule readoption of the rules no later than January 31, 2022 pursuant to G.S. 150B-21.3A(d)(2).

07 NCAC 13C - As reflected in the attached letter, the Commission voted to schedule readoption of the rules no later than December 31, 2022 pursuant to G.S. 150B-21.3A(d)(2).

07 NCAC 13F - As reflected in the attached letter, the Commission voted to schedule readoption of the rules no later than January 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

07 NCAC 13K - As reflected in the attached letter, the Commission voted to schedule readoption of the rules no later than January 31, 2021 pursuant to G.S. 150B-21.3A(d)(2).

07 NCAC 15 - As reflected in the attached letter, the Commission voted to schedule readoption of the rules no later than October 31, 2019 pursuant to G.S. 150B-21.3A(d)(2).

**Department of Insurance**

11 NCAC 12 - As reflected in the attached letter, the Commission voted to schedule readoption of the rules no later than January 31, 2020 pursuant to G.S. 150B-21.3A(d)(2).

The chair called the meeting into a brief recess at 12:59 p.m.

The meeting resumed at 1:08 p.m.

**COMMISSION BUSINESS**

The Commission's Bylaws require that elections be held at the September meeting.

Prior to the election and pursuant to its bylaws, the Commission voted to allow the Chairman and 1st Vice-Chairman to be eligible for reelection for a fourth term and the 2nd Vice-Chairman for a second term.

The following members were elected as officers:

Garth Dunklin was re-elected Chairman.

Jeff Hyde was re-elected 1st Vice-Chairman.

Jeanette Doran was re-elected 2nd Vice Chair.

The meeting adjourned at 3:20 p.m.

The next regularly scheduled meeting of the Commission is Thursday, October 18<sup>th</sup> at 10:00 a.m.

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Alexander Burgos, Paralegal

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Minutes approved by the Rules Review Commission:  
Garth Dunklin, Chair

September 2018

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Rules Review Commission  
Meeting  
Please Print Legibly

Name	Agency
William Walton	NCDOJ
Heather Freeman	NCDOJ
Mike Hejduk	NCDOJ / NCHILB
Chaeminique Williams	CJETS
Jessica Macari	NCDOJ
Lonnie Christopher	NCCOB
Hannah Finnigan	NCDOJ
Christopher McLennan	NCDOJ
Melissa Stevenson	DCDEE
A Mercedes Restucha	NCDOJ / DCDEE
Doug Cassiter	NC Septic Tank Assoc
Alexi Gruber	NCDOJ
Cynthia Speight	NCDSB
Kathie Trotter	NCDSB
Virginia Niehaus	DHB NCDHHS
MITCH ARMSTRONG	COMMENTS / MASSAGE SPA
Anna Cook	DCDEE
Jennifer Everett	DEQ
Matthew Jordan Cochran	OH Cone + Redpath, P.A.
Andy Chase	Ken Melton & Assoc
Tabitha Bryant	DHB

September 2018

Rules Review Commission  
Meeting  
Please Print Legibly

Katelyn Love	State Bd Elec. & Ethics
Misha Evans	Disability Rights NC
John Green	NC DOJ
Mariah Street	DNCR
Misty Buchanan	DNCR - NTP
RODNEY BUTLER	DNCR - NTP
Bob Martin	NC DPW
Tricia Argote	OSWAP
Andrea Stogsdoll	NCLCCA -
Maggie Craven	American Massage Ther. Assoc.
Thomas Sullivan	State Board of Chiro Exam
Lisa Hicks Jones	State Board of Chiropractic Examiners.
John Hoamani	NC DOJ
John Gribb	NC DOJ
Carol Tingley	NC Div. Parks & Rec
Dixon Snutals	McGuire Woods LLP
Charles Case	M - "
<del>STEVEN</del> SHORES	NC SERVICES FOR THE BLIND
GERALD FISCHER	NC SERVICES FOR THE BLIND
Chris Hodgson	Disability Rights NC
Tony Adams	<del>Adams</del> Adams and Assoc.
Whitney Belich	DOJ





# NORTH CAROLINA

State Board of Elections & Ethics Enforcement

Mailing Address:  
P.O. Box 27255  
Raleigh, NC 27611-7255

Phone: (919) 814-0700  
Fax: (919) 715-0135

July 24, 2018

Senator Phil Berger, President Pro Tempore  
North Carolina Senate  
16 W Jones Street, Room 2007  
Raleigh, NC 27601-2808

*Via Email*

**Re: Evaluation of Statement of Economic Interest Filed by Mr. Brian LiVecchi**  
Prospective Appointee – Rules Review Commission

Dear Senator Berger,

Our office has received **Mr. Brian LiVecchi's** 2018 Statement of Economic Interest as a prospective appointee to the **Rules Review Commission (the "Commission")**. We have reviewed it for actual and potential conflicts of interest pursuant to Chapter 163A of the North Carolina General Statutes ("N.C.G.S."), also known as the Elections and Ethics Enforcement Act (the "Act").

Compliance with the Act and avoidance of conflicts of interest in the performance of public duties are the responsibilities of every covered person, regardless of this letter's contents. This letter, meanwhile, is not meant to impugn the integrity of the covered person in any way. This letter is required by N.C.G.S. § 163A-193(a) and is designed to educate the covered person as to potential issues that could merit particular attention. Advice on compliance with the Act is available to certain public servants and legislative employees under N.C.G.S. § 163A-157.

**We did not find an actual conflict of interest, but found the potential for a conflict of interest. The potential conflict identified does not prohibit service on this entity.**

The Rules Review Commission has authority to review all temporary and permanent rules proposed by North Carolina government agencies, including the authority to object to rules that fail to satisfy specific statutory criteria. Generally speaking, those rules are intended to implement or interpret laws adopted by the General Assembly or Congress or certain federal regulations. Temporary or permanent rules approved by the Commission are filed with the Office of Administrative Hearings to be included in the North Carolina Administrative Code.

The Act establishes ethical standards for certain public servants, including conflict of interest standards. N.C.G.S. § 163A-211 prohibits public servants from using their positions for their financial benefit or for the benefit of a member of their extended family or a business with which they are associated. N.C.G.S. § 163A-216 prohibits public servants from participating in certain official actions from which the public servant, his or her client(s), a member of the public servant's extended family, or a business or non-profit with which the public servant or a member of the public servant's immediate family is associated may receive a reasonably foreseeable financial benefit.

Mr. LiVecchi will fill the role of a public member on the Commission. He is the owner and incorporator of the LiVecchi Law Office, PA, a law firm which could represent clients that come before the Commission during the rulemaking process. Thus, he has the potential for conflicts of interest and should exercise appropriate caution in the performance of his public duties should issues involving the law firm or any of the firm's clients come before the Commission for official action.

430 N. Salisbury Street • Raleigh, NC 27603

The Honorable Phil Berger  
July 24, 2018  
Page 2 of 2

In addition to the conflicts standards noted above, N.C.G.S. § 163A-212 prohibits public servants from accepting gifts, directly or indirectly (1) from anyone in return for being influenced in the discharge of their official responsibilities, (2) from a lobbyist or lobbyist principal, or (3) from a person or entity which is doing or seeking to do business with the public servant's agency, is regulated or controlled by the public servant's agency, or has particular financial interests that may be affected by the public servant's official actions. Exceptions to the gifts restrictions are set out in N.C.G.S. § 163A-212(e).

Pursuant to N.C.G.S. § 163A-159(c), when an actual or potential conflict of interest is cited by the Board under N.C.G.S. § 163A-189(e) with regard to a public servant sitting on a board, the conflict shall be recorded in the minutes of the applicable board and duly brought to the attention of the membership by the board's chair as often as necessary to remind all members of the conflict and to help ensure compliance with the Act.

Finally, the Act mandates that all public servants attend an ethics and lobbying education presentation. N.C.G.S. § 163A-158. Please review the attached document for additional information concerning this requirement.

Please contact our office if you have any questions concerning our evaluation or the ethical standards governing public servants under the Act.

Sincerely,



Kathleen S. Edwards  
NC Board of Elections & Ethics Enforcement

cc: Brian LiVecchi  
Jason Thomas, Ethics Liaison  
Garth Dunklin, Board Chair

Attachment: Ethics Education Flyer



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

September 20, 2018

Mariah C. Street  
Department of Natural and Cultural Resources  
4601 Mail Service Center  
Raleigh, NC 27699

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **07 NCAC 13B**

Dear Ms. Street:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2022.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW**

**March 15, 2018**

**APO Review: May 01, 2018**

**Natural and Cultural Resources, Department of  
Total: 9**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>07 NCAC 13B .0101</u>	Necessary with substantive public interest
<u>07 NCAC 13B .0104</u>	Necessary with substantive public interest
<u>07 NCAC 13B .0901</u>	Necessary with substantive public interest
<u>07 NCAC 13B .1003</u>	Necessary with substantive public interest
<u>07 NCAC 13B .1004</u>	Necessary with substantive public interest
<u>07 NCAC 13B .1101</u>	Necessary with substantive public interest
<u>07 NCAC 13B .1102</u>	Necessary with substantive public interest
<u>07 NCAC 13B .1105</u>	Necessary with substantive public interest
<u>07 NCAC 13B .1205</u>	Necessary with substantive public interest



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Raleigh, NC 27609-6285

September 20, 2018

Mariah C. Street  
Department of Natural and Cultural Resources  
4601 Mail Service Center  
Raleigh, NC 27699

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **07 NCAC 13C**

Dear Ms. Street:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2022.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
March 15, 2018  
APO Review: May 01, 2018**

**Natural and Cultural Resources, Department of  
Total: 17**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>07 NCAC 13C .0105</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0201</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0202</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0203</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0301</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0302</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0303</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0304</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0305</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0306</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0307</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0309</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0310</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0311</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0312</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0314</u>	Necessary with substantive public interest
<u>07 NCAC 13C .0315</u>	Necessary with substantive public interest



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September 20, 2018

Mariah C. Street  
Department of Natural and Cultural Resources  
4601 Mail Service Center  
Raleigh, NC 27699

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **07 NCAC 13F**

Dear Ms. Street:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
March 15, 2018  
APO Review: May 01, 2018**

**Natural and Cultural Resources, Department of  
Total: 3**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>07 NCAC 13F .0202</u>	Necessary with substantive public interest
<u>07 NCAC 13F .0303</u>	Necessary with substantive public interest
<u>07 NCAC 13F .0304</u>	Necessary with substantive public interest



STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

September 20, 2018

Mariah C. Street  
Parks and Recreation Authority  
4601 Mail Service Center  
Raleigh, NC 27699

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **07 NCAC 13K**

Dear Ms. Street:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2021.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
March 15, 2018  
APO Review: May 01, 2018**

**North Carolina Parks and Recreation Authority  
Total: 7**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>07 NCAC 13K .0102</u>	Necessary with substantive public interest
<u>07 NCAC 13K .0105</u>	Necessary with substantive public interest
<u>07 NCAC 13K .0106</u>	Necessary with substantive public interest
<u>07 NCAC 13K .0107</u>	Necessary with substantive public interest
<u>07 NCAC 13K .0108</u>	Necessary with substantive public interest
<u>07 NCAC 13K .0109</u>	Necessary with substantive public interest
<u>07 NCAC 13K .0110</u>	Necessary with substantive public interest



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Raleigh, NC 27609-6285

September 20, 2018

Mariah C. Street  
Department of Natural and Cultural Resources  
4601 Mail Service Center  
Raleigh, NC 27699

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **07 NCAC 15**

Dear Ms. Street:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than October 31, 2019.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW**

**April 19, 2018**

**APO Review: May 01, 2018**

**Natural and Cultural Resources, Department of**

**Total: 5**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<u>07 NCAC 15 .0104</u>	Necessary with substantive public interest
<u>07 NCAC 15 .0105</u>	Necessary with substantive public interest
<u>07 NCAC 15 .0401</u>	Necessary with substantive public interest
<u>07 NCAC 15 .0504</u>	Necessary with substantive public interest
<u>07 NCAC 15 .0603</u>	Necessary with substantive public interest



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Street address:  
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Raleigh, NC 27609-6285

September 20, 2018

Loretta Peace-Bunch, Rulemaking Coordinator  
Department of Insurance  
1201 Mail Service Center  
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **11 NCAC 12**

Dear Ms. Peace-Bunch:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
fax: 919/431-3100

Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
April 19, 2018  
APO Review: May 01, 2018  
Insurance, Department of  
Total: 12**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
11 <a href="#"><u>NCAC 12 .0321</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .0514</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1501</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1502</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1503</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1504</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1505</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1506</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1507</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1508</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1509</u></a>	Necessary with substantive public interest
11 <a href="#"><u>NCAC 12 .1803</u></a>	Necessary with substantive public interest



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September 20, 2018

Loretta Peace-Bunch, Rulemaking Coordinator  
Department of Insurance  
1201 Mail Service Center  
Raleigh, North Carolina 27699-1201

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **11 NCAC 12**

Dear Ms. Peace-Bunch:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the September 20, 2018 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than January 31, 2020.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Amber May".

Amber May  
Commission Counsel

Administration 919/431-3000 fax: 919/431-3100	Rules Division 919/431-3000 fax: 919/431-3104	Judges and Assistants 919/431-3000 fax: 919/431-3100	Clerk's Office 919/431-3000 fax: 919/431-3100	Rules Review Commission 919/431-3000 fax: 919/431-3104	Civil Rights Division 919/431-3036 fax: 919/431-3103
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An Equal Employment Opportunity Employer

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
April 19, 2018  
APO Review: May 01, 2018  
Insurance, Department of  
Total: 12**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
11 <a href="#">NCAC 12 .0321</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .0514</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1501</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1502</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1503</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1504</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1505</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1506</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1507</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1508</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1509</a>	Necessary with substantive public interest
11 <a href="#">NCAC 12 .1803</a>	Necessary with substantive public interest